



LATE TESTIMONY

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STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

February 10, 2012

HB 1813 RELATING TO SPECIAL MANAGEMENT AREAS

HOUSE COMMITTEE(S) ON WATER LAND & OCEAN RECSOURCES
and ENERGY & ENVIRONMENTAL PROTECTION

The Department of Transportation (DOT) supports this bill. Exempting the DOT from the County's special management area (SMA) permit will eliminate the time and money necessary to prepare and process an SMA permit and thereby hasten project delivery.

Specifically, the securing of special management area permits can be time consuming and delay projects from going to construction when funding and procurement have been completed. Depending on the complexity of the project, processing of an SMA permit may run from several months and several thousands of dollars to a year plus and tens of thousands of dollars to retain a consultant to prepare and process the SMA application. This bill will help the Department expedite the delivery of projects, expend federal funding in a timely manner, and ultimately stimulate the economy.

Thank you for the opportunity to provide testimony.



LATE TESTIMONY

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 10, 2012 7:49 AM
To: WLOtestimony
Cc: darakawa@lurf.org
Subject: Testimony for HB1813 on 2/10/2012 9:00:00 AM

Testimony for WLO/EEP 2/10/2012 9:00:00 AM HB1813

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: David Arakawa
Organization: Land Use Research Foundation of Hawaii
E-mail: darakawa@lurf.org
Submitted on: 2/10/2012

Comments:

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 10, 2012 3:33 AM
To: WLOtestimony
Cc: cfrith@fbsmgt.com
Subject: Testimony for HB1813 on 2/10/2012 9:00:00 AM

Testimony for WLO/EEP 2/10/2012 9:00:00 AM HB1813

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Cynthia Frith
Organization: Save Oahu Farmlands Alliance
E-mail: cfrith@fbsmgt.com
Submitted on: 2/10/2012

Comments:

In this day and age I find it incredible that the elected officials appear to be creating an atmosphere of secrecy unequalled in recent history.
Whatever the reasoning for this "exemption" bill, it is misguided to say the least! Transparency and open discussion are really the only avenues of recourse for the average citizen who has an incredibly busy life and dwindling financial resources. If the legislature should enact HB1813, it would mean that certain "favored" projects could well proceed under the radar of public scrutiny-ALWAYS A BAD IDEA! And who will decide the criteria for said exemption?
Important projects that affect us all should be openly and honestly vetted in the public arena-period. This type of work takes time and mental energy. Not following the current process in place will get us into deep trouble every time.



Sierra Club

Hawai'i Chapter

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LATE TESTIMONY

HOUSE COMMITTEE ON WATER, LAND, & OCEAN RESOURCES HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

February 10, 2012, 9:00 A.M.
(Testimony is 2 pages long)

TESTIMONY IN STRONG OPPOSITION TO HB 1813

Aloha Chair Chang, Chair Coffman, and Members of the Committee:

The Hawai'i Chapter of the Sierra Club strongly opposes HB 1813, which would allow the state to ignore the Coastal Zone Management act/special management area guidelines and requirements.

This bill could allow environmentally damaging developments to escape the necessary oversight and analysis currently required in the Coastal Zone Management Act. Because state and county agencies are typically more concerned with their mission than the environment, these agencies tend to marginalize environmental concerns. For example, the Department of Transportation attempted to issue a series of "finding of no significant impacts" with the Kahului Airport until the environmental community successfully sued. It's frankly ludicrous that any agency would contend that the construction or expansion of an airport would have no significant environmental impacts . . . but DOT did, and now this bill proposes to avoid these types of bothersome regulations in the future.

Because of the fear that agencies would fail to objectively analyze all relevant factors, our legal system created a series of checks and balances (state and county approval) and public notification requirements. This measure proposes to eliminate this balance. It would eliminate regulations that ensure:

- the public is well informed of projects before they are authorized;
- that community members -- your constituents -- are able to participate in the planning process;

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 09, 2012 11:51 PM
To: WLOtestimony
Cc: ChoonJamesHawaii@gmail.com
Subject: Testimony for HB1813 on 2/10/2012 9:00:00 AM

Testimony for WLO/EEP 2/10/2012 9:00:00 AM HB1813

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Choon James
Organization: Country Talk Story
E-mail: ChoonJamesHawaii@gmail.com
Submitted on: 2/9/2012

Comments:
STRONGLY OPPOSE HB1813

RELATING TO SPECIAL MANAGEMENT AREAS. Exempts any state or county CIP from special management area guidelines and requirements.

I have very severe concerns that we the public is incrementally losing its right to due process, transparency and accountability in projects that inevitably affect us all.

At the rate exemptions are given, we could wake up one morning and find out the government is planting a nuclear plant next to our homes.

The Special Management Area (SMA) guidelines currently protect the opportunity for all affected stake-holders to engage and deliberate on the impacts of a given project. The government cannot know everything. The public voices are important.

It is imperative that the cumulative impacts of a project be carefully examined and addressed. No developer should be exempted from this fair play. No developer, private or public, should be above the law.

After all, we all live on tiny islands out of the middle of nowhere in the vast Pacific Ocean. It's critical that we protect the fragile environment in which we are an integral part of. Our very lives and well-being depend on it.

Please do not dilute basic due process, transparency and public engagement.

HB 1813 is undemocratic, flawed and should have never been brought up for a hearing. Please table HB 1813.

Mahalo,

Choon James
ChoonJamesHawaii@gmail.com
808 294-9111

LATE TESTIMONY

TO: Members of the Committees on Water, Land & Ocean Resources and Energy & Environment, Economic Development & Technology

FROM: Natalie Iwasa
Honolulu, HI 96825
808-395-3233

HEARING: 9 a.m. Friday, February 10, 2012

SUBJECT: HB 1813 Special Management Area Exemption - OPPOSED

Aloha Chairs and Committee Members,

Thank you for allowing me to provide testimony on HB 1813, which would exempt state and county government projects from the Special Management Area guidelines. I oppose this bill and ask you to vote "no."

LATE TESTIMONY

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 10, 2012 2:52 AM
To: WLOtestimony
Cc: bkahana@hula.net
Subject: Testimony for HB1813 on 2/10/2012 9:00:00 AM

Testimony for WLO/EEP 2/10/2012 9:00:00 AM HB1813

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Barbara Kahana
Organization: Individual
E-mail: bkahana@hula.net
Submitted on: 2/10/2012

Comments:

Strongly OPPOSE. Projects are projects and impacts are felt regardless of status of requestor/funding source. Not clear as to reason why this is needed.

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 10, 2012 6:51 AM
To: WLOtestimony
Cc: lkmcelheny@gmail.com
Subject: Testimony for HB1813 on 2/10/2012 9:00:00 AM

Testimony for WLO/EEP 2/10/2012 9:00:00 AM HB1813

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Larry McElheny
Organization: Individual
E-mail: lkmcelheny@gmail.com
Submitted on: 2/10/2012

Comments:
I strongly oppose HB 1813

Respectfully

Larry McElheny
(808) 638-8484

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 10, 2012 7:00 AM
To: WLOtestimony
Cc: esouza_khmb34@yahoo.com
Subject: Testimony for HB1813 on 2/10/2012 9:00:00 AM

Testimony for WLO/EEP 2/10/2012 9:00:00 AM HB1813

Conference room: 325
Testifier position: Oppose
Testifier will be present: No
Submitted by: Evelyn Souza
Organization: Individual
E-mail: esouza_khmb34@yahoo.com
Submitted on: 2/10/2012

Comments:

Please let it be known that this legislation is incredibly wrong and opens a Pandora's box of problematic situations where existing laws now prevent. To think that exemptions from these laws that protect and provide transparency of is to be set aside because government wants to construction, tear down or plan without oversight is detrimental and breaches our right to know. HB1813 is solely fashioned to promote ill will among taxpayers and seemingly fast tracks sweetheart deals that otherwise could not be executed without existing prescribed scrutiny.

From: Paul S Nelson [sightpacific@hawaii.rr.com]
Sent: Friday, February 10, 2012 9:42 AM
To: WLOtestimony
Cc: choonJamesHawaii@gmail.com; paul berry; Alan Lennard; Larry McElheny; Peter Cole; Cora Sanchez; NShoreNews@aol.com
Subject: HB 1813

We are residents of Waialua and have been engaged in trying to stop heedless and destructive development on the North and Windward Shores. As room for development has closed down to the South and Leeward sides, developers are focussing, for profit, on getting control of public lands that are the only remaining island areas left for authentic recreation. Hotels, tourism and suburbs (Malekahana) are proposed by developers to create more artificial life, mainly for mainlanders and visitors.

Waikiki and Ko'olina, for example, are artificial. Workers in the service sector there go home to very modest living after work, but that life is real compared to the experience visitors have for a short few weeks and then go back to their real home lives.

If you give up what remains of public land to artificiality, the "local" culture will be more and more excluded from access to traditional open, public land. They will, and their children will become accustomed to not really feeling that the island is home, that it is all an artificial, commercial venture in the hands of big mainland money and influence. The Royal is buried among monster hotels. The remodeled Colony and Moana are sterile, compared to the way they used to keep at least a Polynesian sense that was not Disney-fied or abstract. Sometimes progress is destructive. Developers have no sense at all for the culture, the whole way of life, say, in Kahuku, Waialua, Hale'iwa and windward to Hygenic Store, and yet even visitors enjoy seeing what it is really like to live in Hawaii. That is what you will destroy by opening public lands to commercial venture. It is short sighted to go willy nilly into development before structuring agricultural needs by keeping AG2 and park land to serve the real recreative needs of residents, on the openness of land and beaches. Hotels and suburbs will, like Lanikai, Kailua, Waikiki, Ko'olina, close down public access. We have all the evidence we need to back off more development on O'ahu. Please vote against HB 1813, which is geared to help developers and throttle local voices.

Paul and Judy Nelson
Waialua